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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,870	01/29/2001	Thomas Francis McGee III	US010016	7779

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
TO, BAOQUOC N	

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/771,870	MCGEE ET AL.	
	Examiner	Art Unit	
	Baoquoc N. To	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03/24/2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 13 and 19 are amended 03/24/2005. Claims 1-24 are pending in this application.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 13 and 19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 12-13, 15-16, 18-21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Alexander et al. (US. Patent No. 6,177,931 B1).

Regarding on claim 1, Alexander teaches a method for searching for television programs comprising the steps of:

identifying at least one key object in at least one Internet document (new items), wherein said key object represents a topic of interest and said at least one Internet document not related to said television program (col. 19, lines 30-31);

sending said at least one key object to a search capable video recorder (col. 19, lines 5-7); and

conducting a key object search with said search capable video recorder to locate at least one television program that contains said at least one key object (col. 19, lines 7-11).

Regarding on claim 2, Alexander teaches the method recited in claim 1 further comprising the step of: identifying a plurality of key objects in at least one Internet document (new items); placing said plurality of key objects in a list of key objects; sending said list of key objects to said search capable video recorder (col. 19, lines 30-37); and conducing a key object search with said search capable video recorder to locate at least one television program that contains at least one key object in said list of key objects (col. 19, lines 7-11).

Regarding on claim 3, Alexander teaches the method of recited in claim 2 comprising the step of: increasing the number of said plurality of key objects in said list of key objects by adding key objects to said list that are similar to said plurality of key objects in said list of key objects (more than one new items) (col. 19, lines 30-31).

Regarding on claim 4, Alexander teaches the method recited in claim 1 further comprising the steps of: providing search results of said key object search to a viewer (co. 19, 5-7), said search results identifying at least one television program that contains at least one key object (col. 19, lines 7-10); selecting at least one television program that contains at least one key object in response to a viewer instruction (col. 19, lines 33-34); and recording in said search capable video recorder said at least one television program selected by said viewer (col. 19, lines 9-10).

Regarding on claim 5, Alexander teaches the method recited in claim 1 further comprising the steps of: receiving in said search capable video recorder search results of said key object search, said search results containing at least one television program that contains at least one key object (col. 19, lines 30-37); and

Recording in said search capable video recorder at least one of the television program identified in said search results (col. 19, lines 30-37).

Regarding on claim 6, Alexander teaches the method recited in claim 5 further comprising the steps of: using a selection criterion to select at least one television program from said search results to be recorded (col. 19, lines 30-37).

Regarding on claim 7, Alexander teaches the method recited in claim 6 wherein said selection criterion comprises one of: selecting only those television programs that will be shown in a particular time period, selecting only those television program that are deemed to be the most relevant to a particular topic, selecting all television programs that appear within a search results until the disk space limit of a search capable video recorder has been reached, selecting television program that may be overwritten by said search capable video recorder, and selecting television programs that may not be overwritten by said search capable video recorder (col. 20, lines 15-20).

Regarding on claim 8, Alexander teaches the method recited in claim 5 further comprising the step of: recording in said search capable video recorder all of the television programs identified in said search results (col. 19, lines 30-37).

Regarding on claims 9, 15 and 20, Alexander teaches the method recited in claim 1 wherein said key object search is conducted for a predetermined period of time (col. 19, lines 5-7).

Regarding on claims 10, 16 and 21, Alexander teaches the method recited in claim 1 wherein said key object search identifies at least one television program using program identification information (col. 19, lines 7-10).

Regarding on claims 12, 18 and 23, Alexander teaches the method recited in claim 1 wherein said search capable video recorder comprises one of: a video recorder with a hard disk memory, a television set with a video recorder with a hard disk memory, a set top box with a video recorder with a hard disk memory, a video cassette recorder with a hard disk memory, and a personal computer with a video card (col. 3, lines 1-10).

Claim 13 is rejected under the same reason as to claim 1, in addition Alexander also discloses providing search results of said key object search to a viewer said search results identifying at least one television program that contains at least one key object in response to a viewer instruction (col. 19, lines 30-31); and recording in said search capable video recorder said at least one television program selected by said viewer (recording) (col. 19, lines 31-34).

Claim 19 is rejected under the same reason as claim 1, in addition Alexander also discloses a plurality of key objects (new items) (col. 19, lines 30-31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 11, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (US. Patent No. 6,177,931 B1) in view of Cargun et al. (US. Patent No. 5,481,296).

Regarding on claims 11, 17 and 22, Alexander does not explicitly teach the method recited in claim 1 wherein said key object search identifies at least one television program by analyzing at least one video stream of at least one television program to find objects that match the key object used in said key object search. However, Cargun teaches key object search identifies at least one television program by analyzing at least one video stream of at least one television program to find objects that match the key object used in said key object search (col. 16, lines 62-67 to col. 17, lines 1-12). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Alexander's system to include key object search identifies at least one television program by analyzing at least one video stream of at least one television program to find objects that match the key object used in said key object search as taught by Cargun in order to retrieve the most relevant program for viewing.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (US. Patent No. 6,177,931 B1) in view of Geer et al. (US. Patent No. 6,788,882 B1).

Regarding on claim 14, Alexander does not explicitly teach conducting said key object search in said search capable video recorder in television programs that have previously been recorded in said search capable video recorder (col. 11, lines 32-38). However, Alexander teaches conducting said key object search in said search capable video recorder in television programs that have previously been recorded in said search capable video recorder (col. 11, lines 32-38). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Alexander's system to include conducting said key object search in said search capable video recorder in television programs that have previously been recorded in said search capable video recorder as Geer in order to provide the retrieval or the record television program for later viewing.

6. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (US. Patent No. 6,177,931 B1) in view of Milnes et al. (US. Patent No. 6,118,492)

Regarding on claim 24, Alexander does not explicitly teach notifying said viewer when said search capable video recorder has recorded said at least one television program selected by said viewer. However, Milnes teaches notifying said viewer when

said search capable video recorder has recorded said at least one television program selected by said viewer (col. 5, lines 41-48). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Alexander's system to include notifying said viewer when said search capable video recorder has recorded said at least one television program selected by said viewer as taught by Milnes in order to notify the user to further review the record television program.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To
June 23, 2005

JEAN M. CORRIELUS
PRIMARY EXAMINER